

HOUSE BILL 4175

By Litz

AN ACT to amend Tennessee Code Annotated, Title 50,
Chapter 1, relative to volunteer firefighters.

BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF TENNESSEE:

SECTION 1. Tennessee Code Annotated, Title 50, Chapter 1, Part 3, is amended by
adding the following language as a new section

50-1-309.

(a)

(1) Notwithstanding the provisions of § 50-1-307, any employee who is an active volunteer firefighter may, with the authorization of such employee's appointing authority, be permitted to leave work in order to respond to fire calls during such employee's regular hours of employment without loss of pay, vacation time, sick leave or earned overtime accumulation and if approved by the employee's appointing authority be permitted to take the work day off following such response as a vacation day or sick leave day without loss of pay if the employee worked all day or night in fighting such fire.

(2) In addition to the provisions of subdivision (1), any employee who is an active volunteer firefighter and who worked all day or night as a volunteer firefighter in an emergency or who was on call all day or night may, with the prior authorization of such employee's appointing authority, be permitted to take the following work day off as a vacation day or sick leave day without the loss of pay.

(b) If requested by such employee's appointing authority, such employee shall be required to submit a written statement from the chief of the volunteer fire department verifying that such employee responded to a fire or was on-call and specifying the date, time and duration of such response or required duty.

(c) If an employer who having previously approved an employee's absence from work in accordance with subsection (a) but later penalizes an employee in contravention of such approval, or if the employee is terminated in violation of the provisions of this section, the employee may bring a civil action against such employee's employer. The employee may seek reinstatement to the employee's former position, payment of back wages, reinstatement of fringe benefits, and where seniority rights are granted, the reinstatement of seniority rights. The employee has one (1) year from the date of a violation of this section to file an action.

SECTION 2. This act shall take effect upon becoming a law, the public welfare requiring it.